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March 16, 2006

VIA ELECTRONIC SUBMISSION

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW – Lobby Level  
Washington, D.C. 20554

Re: E911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196

Dear Ms. Dortch:

On behalf of AT&T Inc. (AT&T), I am submitting this letter detailing our compliance with the Commission's 911 requirements for interconnected Voice over Internet Protocol (VoIP) services, specifically AT&T CallVantage® Service,<sup>1</sup> per AT&T's October 7, 2005 *ex parte* letter<sup>2</sup> and the Commission's June 3, 2005 *VoIP 911 Order*.<sup>3</sup>

In its October 7, 2005 *ex parte*, AT&T explained the steps that it would undertake in the event that it was not able to provide E911 service to 100% of its customer base. As part of that filing, AT&T committed to stop accepting new customers in areas where it cannot provide E911 service, to make voluntary contributions to a public safety organization for grandfathered customers until AT&T can provide those customers with E911 connectivity, and to implement any new commercially reasonable technological solutions to expand its E911 footprint throughout the country.

As of February 28, 2006, approximately 77% of AT&T CallVantage customers have Enhanced 911 (E911) and less than 1% have Basic 911 (911).<sup>4</sup> This latter category is limited to areas where only Basic 911 is offered by the public safety answering point (PSAP). The

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<sup>1</sup> AT&T CallVantage Service is actually provided to subscribers by an AT&T affiliate; for simplicity, however, in this letter, we refer to AT&T CallVantage as being provided by AT&T.

<sup>2</sup> See Letter from Robert W. Quinn, Jr., AT&T, to Marlene H. Dortch, FCC, WC Docket No. 05-196 (Oct. 7, 2005) (AT&T October 7, 2005 *ex parte*).

<sup>3</sup> *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd. 10245 (2005) (*VoIP 911 Order*).

<sup>4</sup> Some AT&T CallVantage Service customers have more than one telephone number associated with their service. Although this letter refers to subscribers or customers, customer data in this paragraph are computed on a telephone number basis.

remaining 23% of customers are provided with Alternative 911 (A911) and will continue to be served with A911 on a “grandfathered” basis. AT&T expects to be providing E911 service to approximately 97% of its November 28, 2005 AT&T CallVantage customer base by third quarter 2006, but will still have approximately 3% of those subscribers who live in areas where AT&T will not at that time be capable of providing an E911 solution. AT&T is continuing to work internally and with external vendors to seek alternative technologies and solutions to reach 100% compliance as soon as possible. In the meantime, AT&T is making monthly voluntary contributions to the Public Safety Foundation of America for all grandfathered AT&T CallVantage customers.

In addition to broadening the availability of E911 service, we have also taken steps to address the nomadic use of AT&T CallVantage Service. Specifically, AT&T’s “Heartbeat Solution” enables customers to obtain proper 911 routing when they use AT&T CallVantage Service nomadically within AT&T’s 911-capable footprint, and only enables service at locations where AT&T can provide 911 capabilities.<sup>5</sup>

Consistent with its October 7, 2005 *ex parte*, AT&T has implemented procedures to stop accepting orders for new service in those areas not yet VoIP E911-enabled. As AT&T reported in its February 16, 2006 *ex parte*,<sup>6</sup> however, we discovered that due to a provisioning error by one of AT&T’s VoIP E911 vendors and a programming error by AT&T, a relatively small number of subscriber orders were accepted for new service in areas that were not VoIP E911-enabled. As a result of the errors, these subscribers were activated in December 2005 and January 2006 with A911 service instead of E911 service. To address this situation, AT&T directly contacted each of the 39 affected subscribers to inform them that their service orders were accepted in error and we explained the limits of their current A911 service. We also informed the subscribers that, because we were unable to provide them with E911 service, AT&T planned to transition them to alternative service offerings by March 15, 2006, and would refund all amounts these subscribers have paid for AT&T CallVantage service.<sup>7</sup> In addition, AT&T has instituted new procedures with its VoIP E911 vendor and has corrected the programming error in its own systems.

In light of these errors, AT&T has been comprehensively reviewing its AT&T CallVantage systems. During the course of this review, AT&T discovered that service for a small number of additional subscribers was erroneously activated between December 2005 and February 2006 with A911 service instead of E911 service. Consistent with the process described above, we are contacting each of the subscribers that does not currently have E911 service and

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<sup>5</sup> AT&T’s technical solution for nomadic subscribers was described in detail in its October 7, 2005 *ex parte*.

<sup>6</sup> See Letter from Jack Zinman, AT&T, to Marlene H. Dortch, FCC, WC Docket No. 05-196 (Feb. 16, 2006) (AT&T February 16, 2006 *ex parte*).

<sup>7</sup> For subscribers that did not respond to our communications or transition to an alternative service offering, we have instituted a call intercept procedure to suspend outbound AT&T CallVantage service (except for 911, 411 and 8YY calls) until the subscriber contacts AT&T and/or transitions to an alternative service offering. See AT&T February 16, 2006 *ex parte* at 2.

explaining the limits of their existing A911 service. We are also informing them that, because we were unable to provide them with E911 service, AT&T intends to transition them to alternative service offerings, and we will refund all amounts they have paid for AT&T CallVantage service.<sup>8</sup> We expect to complete the review of the AT&T CallVantage systems in time to provide the Commission with an update on our findings in our next compliance letter in April 2006.

To ensure that AT&T CallVantage systems are fully consistent with our E911 responsibilities, AT&T has decided, in an abundance of caution, to temporarily stop accepting new CallVantage subscribers until we complete our review of those systems. We have also decided to temporarily restrict existing subscribers from using their service nomadically while this review is ongoing, and we have notified subscribers of this limitation in their service.<sup>9</sup> We expect to resume offering service to new subscribers and to re-enable nomadic use for existing subscribers within the next few weeks.

If you have any questions or need additional information, please do not hesitate to contact me.

Pursuant to section 1.1206 of the Commission's rules, this letter is being filed electronically with the Commission.

Sincerely,

/s/

Jack Zinman

cc: Daniel Gonzalez  
Michelle Carey  
Ian Dillner  
Thomas Navin  
Kathryn Berthot  
Janice Myles

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<sup>8</sup> We intend to use the call intercept procedure discussed above to address subscribers that do not contact AT&T and/or transition to an alternative service offering.

<sup>9</sup> To restrict nomadic use, AT&T is relying on the Heartbeat Solution referenced above and described in previous filings in this docket. *See, e.g.*, AT&T October 7, 2005 *ex parte*.